



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/681,103

10/09/2003

Dehou Fei

8125

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3736 10th Ave.

New York, NY 10034

7590

07/19/2007

EXAMINER

PAK, JOHN D

ART UNIT

PAPER NUMBER

1616

MAIL DATE

DELIVERY MODE

07/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/681,103	FEI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	JOHN PAK	1616	

All participants (applicant, applicant's representative, PTO personnel):

(1) JOHN PAK (3) \_\_\_\_\_

(2) FAYE ZHENGXING (4) \_\_\_\_\_

Date of Interview: 11 July 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: \_\_\_\_\_

Identification of prior art discussed: \_\_\_\_\_

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Ms. Zhengxing asked for clarification as to Non-finality of the Office action and Finality of the restriction requirement. The Examiner explained to the pro se applicant that the case is currently under Non-final procedure wherein applicant's amendments and remarks are granted entry (but subject to further rejections). Under After-final practice, Ms. Zhengxing was told that applicant would not have such rights as a matter of course. The Examiner further explained that only the restriction requirement was made Final in the previous Office action. Ms. Zhengxing stated that applicants will not modify the claims to give up the restricted subject matter. Ms. Zhengxing asked whether applicants can directly appeal the restriction requirement since the case has been rejected twice. The Examiner stated that the Board of Patent Appeals and Interferences does not review restriction requirements, which is petitionable (not appealable) subject matter. Ms. Zhengxing asked for help in petitioning. The Examiner stated that he has given all the advice that he can and that the pro se applicant was now asking for legal assistance, which the Examiner is not permitted to provide. The Examiner stated that the relevant information is available in the USPTO website. Ms. Zhengxing stated that the Examiner answered all her questions.